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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS PRODUCTS
LIABILITY LITIGATION

No. MD-15-02641-PHX-DGC

This Document Relates to:

ROBERT G. HARBRIDGE,

Plaintiff,

v.

C. R. BARD, INC., a New Jersey
Corporation;

Defendants.

Case No. CV-16-00008-PHX-DGC

**PLAINTIFF'S UNNOPPOSED
MOTION TO WITHDRAW
AMENDED COMPLAINT AND
INCORPORATED MEMORANDUM
IN SUPPORT**

Pursuant to Federal Rule of Civil Procedure 15(a), Plaintiff respectfully withdraws his erroneously-filed amended complaint [Dkt. 707] and in support thereof, would show the Court the following:

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I. FACTUAL BACKGROUND

On January 5, 2016, Plaintiff filed his initial short form complaint in MDL 2641, In Re: Bard IVC Filters Products Liability Litigation naming only C. R. Bard, Inc. as a defendant. See 2:16-cv-00008-DGC, Dkt. No. 1. Subsequently, counsel for Plaintiff noticed that it had inadvertently not placed a check in the box next to defendant Bard Peripheral Vascular, Inc. on the short form complaint. Plaintiff filed his amended short form complaint to correct this oversight. See 2:15-md-02641-DGC, Dkt. No. 707. This was done without seeking leave of Court in error. Plaintiff acknowledges the amended complaint was filed in error and seeks to withdraw the offending complaint. Counsel for Bard does not object.

II. CONCLUSION AND REQUEST FOR RELIEF

Based on the foregoing, Plaintiff requests the Court grant this Unopposed Motion to Withdraw the previously erroneously filed amended complaint.

DATED this 10th day of March, 2016.

MILLER WEISBROD LLP

/s/Les Weisbrod
Attorneys for Plaintiff

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CERTIFICATE OF CONFERENCE

On March 10, 2016, counsel for Plaintiff conferred with counsel for C. R. Bard, Inc. who indicated defendants would not oppose this motion.

s/Les Weisbrod
Les Weisbrod

CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2016, I electronically transmitted the foregoing document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to all counsel of record.

/s/Les Weisbrod
Les Weisbrod